IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 890 (S/S) of 2007

Smt. Hema Negi W/o Sri Veer Singh Negi
R/o 411 Balliwala Chowk, Kanwali,
Dehradun ---------- Petitioner.

Versus

1. State of Uttarakhand through its Secretary School Education Dehradun.
2. Director, School Education, State of Uttarakhand, Dehradun
3. District Education Officer, Dehradun
4. Additional District Education Officer (Basic), Dehradun

-------Respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri I.P. Gairola, learned counsel for the petitioner and Sri Paresh Tripathi, learned Brief Holder for State of Uttarakhand for the respondents.

By means of this writ petition, the petitioner has challenged the transfer order dated 23.06.2007 passed by respondent no. 4 Additional District Education Officer (Basic), Dehradun, by which the petitioner has been transferred from Junior High School Sevla Kalan, District Dehradun to Junior High School Sateli, Raypur on the ground that she is working against inconsistent subject.

The Stand of the petitioner is that she has already worded in *durgam and atidurgam* place for a period of more than 8 years and now after 2 years' service in *sugam* area, she has again been transferred on the ground that she is working against inconsistent subject, while according to the petitioner, she is not working against inconsistent subject.

Learned Standing Counsel has submitted that as per the report of News Papers, the State Government is in dilemma as to which of the place/region of the State is to be classified as *durgam, ati durgam* and *sugam* place.

Learned counsel for the petitioner has submitted that in this regard, the petitioner, raising all her grievances, has already moved a representation on 03.07.2007, Annexure 3 to the writ petition, before respondent no. 4, Additional District Education Officer (Basic), Dehradun, which is still pending before him.

In the circumstances, I deem it fit and proper to direct the respondent no. 4 to take decision on the representation of the petitioner within a period of 10 days from the date of production of a certified copy of this order before him.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

13.07.2007
VKS